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7 **IN THE UNITED STATES DISTRICT COURT**
8
9 **FOR THE DISTRICT OF ARIZONA**

10 IN RE BARD IVC FILTERS 11 PRODUCTS LIABILITY LITIGATION	12 13 14 15 No. MD-15-02641-PHX-DGC Case No. CV-16-00008-PHX-DGC AMENDED MASTER SHORT FORM COMPLAINT FOR DAMAGES FOR INDIVIDUAL CLAIMS
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16 Plaintiff named below, for his Amended Complaint against Defendants named
17 below, incorporates the Master Complaint for Damages in MDL 2641 by reference (Doc.
18
19 364).

20 Plaintiff further shows the Court as follows:
21 1. Plaintiff/Deceased Party: Robert G. Harbridge
22
23 2. Spousal Plaintiff/Deceased Party's spouse or other party making loss of
24 consortium claim: N/A

25 3. Other Plaintiff and capacity (i.e., administrator, executor, guardian,
26 conservator): N/A
27
28

1 4. Plaintiff's/Deceased Party's state(s) [if more than one Plaintiff] of residence
2 at the time of implant: Virginia

3 5. Plaintiff's/Deceased Party's state(s) [if more than one Plaintiff] of residence
4 at the time of injury: Virginia

5 6. Plaintiff's current state(s) [if more than one Plaintiff] of residence: Virginia

6 7. District Court and Division in which venue would be proper absent direct
7 filing: United States District Court for the Western District of Virginia –
8 Lynchburg Division

9 8. Defendants (check Defendants against whom Complaint is made):

10 C.R. Bard Inc.

11 Bard Peripheral Vascular, Inc.

12 9. Basis of Jurisdiction:

13 Diversity of Citizenship

14 Other:

15 Other allegations of jurisdiction and venue not expressed in Master
16 Complaint: N/A

17 10. Defendants' Inferior Vena Cava Filter(s) about which Plaintiff(s) is making
18 a claim (Check applicable Inferior Vena Cava Filter(s)):

19 Recovery® Vena Cava Filter

20 G2® Vena Cava Filter

21 G2® Express (G2®X) Vena Cava Filter

1 Eclipse® Vena Cava Filter

2 Meridian® Vena Cava Filter

3 Denali® Vena Cava Filter

4 Other:

5 11. Date of Implantation as to each product: January 9, 2014

6 12. Counts in the Master Complaint brought by Plaintiff(s):

7 Count I: Strict Products Liability - Manufacturing Defect

8 Count II: Strict Products Liability - Information Defect (Failure to
9 Warn)

10 Count III: Strict Products Liability- Design Defect

11 Count IV: Negligence – Design

12 Count V: Negligence- Manufacture

13 Count VI: Negligence- Failure to Recall/Retrofit

14 Count VII: Negligence- Failure to Warn

15 Count VIII: Negligent Misrepresentation

16 Count IX: Negligence Per Se

17 Count X: Breach of Express Warranty

18 Count XI: Breach of Implied Warranty

19 Count XII: Fraudulent Misrepresentation

1 Count XIII: Fraudulent Concealment
2 Count XIV: Violations of Applicable New York Law Prohibiting
3 Consumer Fraud and Unfair and Deceptive Trade Practices
4
5 Count XV: Loss of Consortium
6
7 Count XVI: Wrongful Death

8
9 DATED this 18th day of March, 2016.

10 **MILLER WEISBROD LLP**

11 */s/Les Weisbrod*
12 Attorneys for Plaintiff

13
14 **CERTIFICATE OF SERVICE**

15 I hereby certify that on March 18, 2016, I electronically transmitted the foregoing
16 document to the Clerk's Office using the CM/ECF System for filing and transmittal of a
17
18 Notice of Electronic Filing to all counsel of record.

19
20 */s/Les Weisbrod*
21 Les Weisbrod